

## 21 C.J.S. Courts § 23

Corpus Juris Secundum | May 2023 Update

### Courts

M. Elaine Buccieri, J.D.; James Buchwalter, J.D.; Amy G. Gore, J.D., of the staff of the National Legal Research Group, Inc; and Lonnie E. Griffith, Jr., J.D.

### II. Jurisdiction of Courts

#### C. Jurisdiction of Subject Matter or Cause of Action

##### 2. Amount in Controversy Within Subject Matter Jurisdiction

###### a. General Considerations

§ 23. Amount in controversy as limitation on subject matter jurisdiction

[Topic Summary](#) | [References](#) | [Correlation Table](#)

#### West's Key Number Digest

West's Key Number Digest, [Courts](#)  119.1, 120, 121(1), 168

**Under various constitutional or statutory provisions, courts of general jurisdiction are limited in their jurisdiction to cases involving amounts in excess of a specified amount, and inferior courts of limited jurisdiction are limited in their jurisdiction to actions involving amounts below or between specified amounts.**

In general, the amount or value of the matter in controversy is an essential element in the determination of the subject matter jurisdiction of courts,<sup>1</sup> whether the amount is a threshold jurisdictional floor<sup>2</sup> or a ceiling on claims before the particular court.<sup>3</sup>

The absence of jurisdiction may require dismissal of an action timely shown to be outside the court's jurisdictional limitations on amounts in controversy<sup>4</sup> or may require transfer of the action

to the court with jurisdiction.<sup>5</sup> A judgment rendered in an action outside the court's jurisdictional amount limit is void<sup>6</sup> and thus insufficient as a basis for res judicata in relation to subsequently asserted claims in a court with proper jurisdiction.<sup>7</sup>

The courts may have discretion to address lesser claims in limited circumstances<sup>8</sup> and may leave the issue of jurisdictional amount to be decided after a trial on the merits when the amount is in dispute.<sup>9</sup>

While, generally, a court of limited jurisdiction lacks jurisdiction to award a judgment in excess of an amount specified as jurisdictional,<sup>10</sup> under some authority, a statutory limitation on the amount in controversy is not a limitation on the court's power to render a judgment, as long as the original amount in controversy is within the jurisdictional limit, and the fact that the damages later exceed that limit does not prevent the court from rendering judgment.<sup>11</sup>

## CUMULATIVE SUPPLEMENT

### Cases:

Regardless of whether or not co-buyer who brought action against credit union met the monetary jurisdictional threshold for the district court, the district court independently acquired jurisdiction due to co-buyer's request for injunctive relief; taking co-buyer's allegations in the complaint as true, that she and other class members would suffer irreparable injury if credit union was not enjoined from further wrongful collection activities, co-buyer alleged actual and threatened injury. [Castillo v. United Federal Credit Union](#), 409 P.3d 54 (Nev. 2018).

Court rule requiring district court to transfer to superior court, rather than dismiss, action for which damages exceeded district court's jurisdictional limit of \$100,000, was rule of procedure that did not impermissibly infringe on legislature's sole constitutional authority to prescribe powers, duties, and jurisdiction of district courts; rule did not impermissibly extend district court's subject matter jurisdiction. [Wash. Const. art. 4, § 10](#); [WA R Civ Ltd Juris CRLJ 14A\(b\)](#). [Banowsky v. Guy Backstrom](#), DC, 445 P.3d 543 (Wash. 2019).

### [END OF SUPPLEMENT]

Westlaw. © 2023 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

## Footnotes

- 1 Ala.—*Ex parte Safety-Kleen Systems, Inc.*, 142 So. 3d 1182 (Ala. Civ. App. 2013).  
Ga.—*Setlock v. Setlock*, 286 Ga. 384, 688 S.E.2d 346 (2010).  
Haw.—*Fisher v. Grove Farm Co., Inc.*, 123 Haw. 82, 230 P.3d 382 (Ct. App. 2009).  
Mass.—*Zizza v. Zizza*, 456 Mass. 401, 923 N.E.2d 1018 (2010).  
Tex.—*Rodney R. Elkins & Co. v. Immanivong*, 406 S.W.3d 777 (Tex. App. Dallas 2013).  
As to jurisdictional amount requirements in federal district courts, see C.J.S., *Federal Courts* §§ 809 to 816.
- 2 Ala.—*Ex parte Safety-Kleen Systems, Inc.*, 142 So. 3d 1182 (Ala. Civ. App. 2013).  
Fla.—*Haueter-Herranz v. Romero*, 975 So. 2d 511 (Fla. 2d DCA 2008).  
Haw.—*Fisher v. Grove Farm Co., Inc.*, 123 Haw. 82, 230 P.3d 382 (Ct. App. 2009).  
Ky.—*Netherwood v. Shake*, 2012 WL 5289532 (Ky. 2012).  
Mass.—*Ari Weitzner, M.D., P.C. v. Cynosure, Inc.*, 85 Mass. App. Ct. 77, 5 N.E.3d 953 (2014) review denied, 468 Mass. 1103, 8 N.E.3d 279 (2014).  
N.C.—*Musarra v. Bock*, 200 N.C. App. 780, 684 S.E.2d 741 (2009).  
Ohio—*Ohio Director of Transp. of State v. Eastlake Land Dev. Co.*, 177 Ohio App. 3d 379, 2008-Ohio-3013, 894 N.E.2d 1255 (8th Dist. Cuyahoga County 2008).  
Tex.—*AIC Management v. Crews*, 246 S.W.3d 640 (Tex. 2008).
- 3 Colo.—*Arnold v. Anton Co-op. Ass'n*, 293 P.3d 99 (Colo. App. 2011).  
Conn.—*Newtown Pool Service, LLC v. Pond*, 140 Conn. App. 514, 59 A.3d 378 (2013).  
Fla.—*Johnson v. American First Federal, Inc.*, 133 So. 3d 559 (Fla. 1st DCA 2014).  
Mass.—*Zizza v. Zizza*, 456 Mass. 401, 923 N.E.2d 1018 (2010).  
N.C.—*4U Homes & Sales, Inc. v. McCoy*, 762 S.E.2d 308 (N.C. Ct. App. 2014).  
Wash.—*City of Seattle v. Sisley*, 164 Wash. App. 261, 263 P.3d 610 (Div. 1 2011).  
Tex.—*Rodney R. Elkins & Co. v. Immanivong*, 406 S.W.3d 777 (Tex. App. Dallas 2013).
- 4 Mass.—*Zizza v. Zizza*, 456 Mass. 401, 923 N.E.2d 1018 (2010).  
Tex.—*Rodney R. Elkins & Co. v. Immanivong*, 406 S.W.3d 777 (Tex. App. Dallas 2013).
- 5 Tex.—*Kormanik v. Seghers*, 362 S.W.3d 679 (Tex. App. Houston 14th Dist. 2011).
- 6 Ark.—*Piper v. Potlatch Federal Credit Union*, 2009 Ark. App. 701, 371 S.W.3d 704 (2009).
- 7 Ga.—*Setlock v. Setlock*, 286 Ga. 384, 688 S.E.2d 346 (2010).

- 8 Mass.—*Ari Weitzner, M.D., P.C. v. Cynosure, Inc.*, 85 Mass. App. Ct. 77, 5 N.E.3d 953 (2014) review denied, 468 Mass. 1103, 8 N.E.3d 279 (2014).
- 9 Ala.—*Ex parte Safety-Kleen Systems, Inc.*, 142 So. 3d 1182 (Ala. Civ. App. 2013).
- 10 Cal.—*Ytuarte v. Superior Court*, 129 Cal. App. 4th 266, 28 Cal. Rptr. 3d 474 (2d Dist. 2005).
- Mich.—*Clohset v. No Name Corp.*, 302 Mich. App. 550, 840 N.W.2d 375 (2013), appeal denied, 495 Mich. 990, 844 N.W.2d 725 (2014).
- 11 Tex.—*State Farm Fire & Cas. Co. v. Griffin*, 888 S.W.2d 150 (Tex. App. Houston 1st Dist. 1994).

---

End of Document

© 2023 Thomson Reuters. No claim to original U.S.  
Government Works.